

REMARKS

This Application has been carefully reviewed in light of the final Office Action mailed November 7, 2005. Claims 1-5, 11-17, and 20-22 are pending in the application. In the final Office Action, Claims 1-5, 11-17, and 20-22 were rejected. For the reasons discussed below, Applicant respectfully requests reconsideration and favorable action in this case.

First Section 103 Rejection

The Examiner rejects Claims 1-5, 11, 14-15 and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,032,197 issued to Birdwell et al. ("*Birdwell*") in view of U.S. Patent No. 6,088,759 issued to Hasbun et al. ("*Hasbun*").

In order to establish a *prima facie* case of obviousness, three requirements must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge available to one skilled in the art, to modify a reference or combine multiple references; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or combination of references) must teach or suggest all of the claim limitations. M.P.E.P. § 2143. In the present case, a *prima facie* case of obviousness cannot be maintained at least because *Birdwell* and *Hasbun*, whether considered singly, in combination with one another, or in combination with information generally available to those of ordinary skill in the art at the time of the invention, fail to disclose all of the elements of the pending claims. Furthermore, there is also not a suggestion or motivation to combine these references as proposed by the Examiner.

Claim 1 of the present application recites the following limitations:

A stateless protocol method which is operable on a computer processor and computer memory, the stateless protocol comprising a computer program which configures the computer processor to:

establish a legacy protocol, wherein said legacy protocol defines at least one legacy parameter for a header portion of a message, and wherein said legacy protocol defines a fixed legacy header length;

receive an inbound message having a header portion;

allocate a memory portion from the computer memory, said memory portion having a depth corresponding to said fixed legacy header length;

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